

Remarks/Arguments

This Amendment has been prepared in response to the Office Action of August 25, 2006 regarding the above-identified U.S. Patent Application. In that Action, the Examiner (a) rejected claims 1, 10 and 12-14, inclusive, under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,614,454 B1 to Livingston in view of U.S. Patent No. 5,963,216 to Chiarabini *et al.*, (b) rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Livingston in view of Chiarabini *et al.*, and further in view of U.S. Patent Application Publication No. 2002/0016841 A1 of Hirashima *et al.*, and (c) rejected claim 16 under 35 U.S. C. § 103(a) as being unpatentable over Livingston in view of Chiarabini *et al.*, further in view of U.S. Patent Application Publication No. 2002/0046238 A1 of Estavillo *et al.*, and further in view of U.S. Patent No. 6,453,078 B2 to Bubie *et al.*

Applicant has carefully considered the Examiner's Action and comments, along with all of the cited and applied prior art patents, has further reviewed carefully the claims herein, and by the present Amendment proposes certain changes in these claims which are believed now to place all claims remaining in this application, on the basis of entry of this Amendment, in conditions for allowance.

With regard to the claims, (a) claims 1 and 10 have been currently amended to point out with greater specificity that the *true* print-preview display created in accordance with practice of this invention *is generated by a printer, and specifically is generated by the printer controller in that printer*, (b) claims 2-9, inclusive, 11, 12, and 17-24, inclusive, have been cancelled without prejudice, (c) claims 13 and 16 remain in this case as previously presented

claims, and (d) claims 14 and 15 remain in this case as original claims.

The principal references relied upon by the Examiner in rejecting applicant's claims, include Livingston and Chiarabini *et al.* While applicant believes that originally-filed independent claims 1 and 10, as they have appeared before entry of the present Amendment, are clearly distinguishable over anything shown or suggested by the cited and applied prior references, these two claims have now been currently amended to enhance focus on an important feature of the present invention which is neither shown nor suggested in either of the two principal references utilized by the Examiner, and certainly not in any one of the other cited and applied references.

Applicant's specification points out with abundant clarity that in order to generate for a user a *true* print-preview which will show that user *exactly how a particular printer which has been selected to implement a printing operation will actually print a page in a document*, it is necessary that the data stream employed to create this print-preview come directly from the selected printer itself, and more specifically, from the printer controller in that printer. *Only if this takes place will an actual true print preview be presented for user observation.*

Applicant's specification clearly points out the recognition that individual printers have printing quirks which are unique to them, and that generating a print-preview by anything other than the printer controller in a selected printer will almost certainly not produce a true print preview. Thus, and as is pointed out in the specification, if the same print job were to be sent to two supposedly identical model printers which communicate through identical printer drivers with a computer, it is very likely that an actual print output produced by each will differ from the print

output produced by the other. Accordingly, anything upstream from a printer, such as a printer driver, which is called upon to generate and provide a so-called true print preview would be unable to provide a preview which actually shows what will happen when the printer *per se* is asked to print directly under the control of its printer controller.

None of the cited and applied references generates or suggests generating a print preview based upon a data stream created directly within a printer by its printer controller.

Looking specifically at the two principal references, the Livingston patent discloses a computer-based system for generating on a display screen an elaborate graphical user interface which allows a user to input and control information which is to drive, ultimately, the operation of a printer. All of the display information, including what is referred to in this patent as a print-preview image, *is created under the control of the illustrated and described computer system*, and not under any circumstance directly by the operation of a printer and its printer controller. In other words, the type of print preview which is presented in the Livingston patent *is one which is generated outside of and upstream from the location of a printer*.

The Examiner's statement, effectively, that a print-preview is generated in Livingston within a printer by its controller is simply completely unsupported by anything shown or suggested in this reference. In fact, the type of print-preview which is presented in accordance with practice of the Livingston reference, is exactly one of those prior art types of print previews that are sought to be avoided by applicant's claimed invention, wherein a print-preview is generated directly by a printer controller within a printer and in a manner which absolutely describes how a printed document will look when printed by the relevant printer.

The Chiarabini *et al.* reference is similarly deficient (vis-a-vis applicant's invention) with respect to how what is referred to in this reference as a print-preview is created. To begin with, it is very important to note that all references made in this patent regarding the accuracy of a print-preview are references to a print-preview regarding drawings which are pointedly *not true print-previews*, notwithstanding statements to the contrary made within the text of this patent. Support for this statement about a "non-truth" of a preview image created by the practice of Chiarabini *et al.* is drawn directly from text found in column 2 of that patent which points out that a print-preview generated by the system and methodology of this patent is a "simplified representation of the print job". In other words, it is held out as being an important feature of Chiarabini *et al.* that any generated print-preview *is only an approximation* of what will actually be printed. Not only does this reference not deal with the actual generation of a true print-preview, but also, any pre-print-preview which is created is created not by the printer controller in a printer, but by a printer driver. That this source for a print-preview, namely, the printer driver, is what is involved in the Chiarabini *et al.* system is expressly stated also in the text found in column 2 of this patent. One can also clearly see by looking at Fig. 5 in the drawings in this patent that there is no communication path whatsoever extending between a printer and a display device coupled to that printer for the purpose of receiving a printer-controller-generated print-preview display.

Accordingly, a key feature of applicant's claimed invention, namely that a print-preview called for is generated within a printer by the printer controller, is simply lacking entirely from the disclosure contents of the principal Livingston and Chiarabini *et al.* references. This

important missing component is not supplied in any way by any other of the cited and applied references.

Accordingly, and now with claims 1 and 10 currently amended to provide added focus regarding the concept that a print-preview generated by applicant's invention *is generated by the printer controller within a printer*, all of applicant's claims now stand clearly distinguishable over anything shown or suggested by the cited and applied prior art.

Therefore, favorable reconsideration of this application, and allowance of all claims therein remaining on the basis of entry of this Amendment, are respectfully solicited. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact Attorney-of-Record Jon M. Dickinson, Esq., at 503-504-2271.

Provisional Request for Extension of time in Which to Respond

Should this response be deemed to be untimely, Applicants hereby request an extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to Account No. 22-0258.

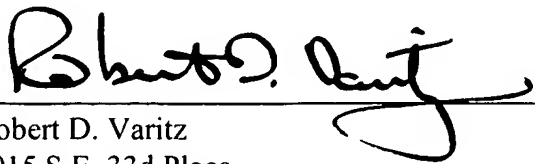
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Respectfully Submitted,

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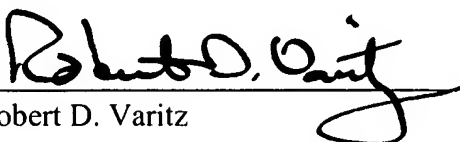
CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.
Date of Deposit - October 30, 2006

EV879840479US

I hereby certify that the attached Response to Office Action under 37 C.F.R. § 1.111 is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Washington, D.C. 22313-1450


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